

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
August 17, 2009

- D055417 Palai v. Superior Court of San Diego County/CPT Holdings, Inc., et al.**
The petition is denied.
- D055482 Gregory v. Superior Court of San Diego County/People**
The petition is denied.
- D054647 In re A.Z., a Juvenile**
The juvenile court's order terminating parental rights is affirmed.
O'Rourke, J.; We Concur: McIntyre, Acting P.J., Aaron, J.
- D053411 Fashion Valley Mall, LLC v. County of San Diego**
The judgment is affirmed. CERTIFIED FOR PUBLICATION.
Irion, J.; We Concur: Huffman, Acting P.J., McIntyre, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
August 18, 2009

- D055011 Parten v. Ayers**
The appeal filed April 17, 2009, is dismissed because appellant did not timely deposit costs for preparing the record on appeal.
- D053907 Nelipovich v. Nelipovich**
The appeal is dismissed. Irion, J.; We Concur: McIntyre, Acting P.J., O'Rourke, J.
- D054743 People v. Hochandadel et al.**
The judgment is reversed. Nares, J.; We Concur: Benke, Acting P.J., McIntyre, J.
- D052787 Weisblat et al. v. City of San Diego**
The summary judgment for the City is reversed, and the matter is remanded with directions to vacate the judgment in favor of the City; reach the merits of the plaintiffs' motion for summary judgment or, in the alternative, summary adjudication; and conduct such further proceedings consistent with this opinion as the court deems necessary. Plaintiffs shall recover their costs on appeal. Nares, Acting P.J.; We Concur: McDonald, J., Aaron, J.
- D053448 People v. Long**
The judgment is affirmed. O'Rourke, J.; We Concur: McConnell, P.J., Aaron, J.
- D054860 In re N. G. et al., Juveniles**
The orders are affirmed. McDonald, J.; We Concur: Benke, Acting P.J., Irion, J.
- D054722 In re Brianna P. et al., a Juvenile**
The judgment is affirmed. Haller, J.; We Concur: Benke, Acting P.J., O'Rourke, J.
- D054027 Brown v. Beauchamp et al.**
Upon written request filed by appellant, the appeal is dismissed and the remittitur is ordered to issue immediately. (Cal. Rules of Court, rule 8.244(c)(2).)
- D055339 Steve C. et al. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**
No timely petition for writ relief has been filed for petitioner Steve C. The notice of intent is deemed to be abandoned. The case is dismissed.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
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- D055641 Chicago Title Company et al. v. The Superior Court of San Diego County/Miller et al.**
The petition is denied.
- D053134 Coffman Specialties, Inc. v. Department of Transportation**
Judgment affirmed. Appellant to pay respondent's costs on appeal. Certified for partial publication. Haller, Acting P.J.; We Concur: McDonald, J., Aaron, J.
- D055418 Robert M. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**
No timely petition for writ of mandate has been filed. The notice of intent is deemed to be abandoned. The case is dismissed.
- D055488 Gomez v. Superior Court of San Diego County/People**
The petition is denied.
- D054020 John O. v. Margaret E.**
Order affirmed. Benke, Acting P.J.; We Concur: McIntyre, J., Irion, J.
- D055360 In re Joiner, Jr. on Habeas Corpus**
The petition is denied.
- D055389 In re Dryden on Habeas Corpus**
The petition is denied.

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- D054435 In re S.T., a Juvenile**
The order is affirmed. Haller, J; We Concur: Benke, Acting P.J., Irion, J.
- D055194 Conservatorship of the person of Gail B.**
The judgment is reversed. The case is remanded to the superior court for a new conservatorship hearing after proper advisals and notice. The remittitur is to issue forthwith. (Cal. Rules of Court, rule 8.272(c)(1).)
McConnell, P.J.; We Concur: McIntyre, J., Irion, J.
- D055408 In re Davis on Habeas Corpus**
The petition is denied.
- D054207 The Retirement Group v. Galante et al.**
The opinion filed July 30, 2009, is ordered certified for publication. The attorneys of record are: Law Offices of David H. Schwartz, David H. Schwartz, Gregory J. Wood; Marks Golia & Finch, Davide Golia and Jeffrey B. Baird for Defendants and Appellants. Duckor Spradling Metzger & Wynne, Scott L. Metzger and Kevin L. Wheeler for Plaintiff and Respondent.
- D053260 People v. Quiroz**
The judgment of conviction is affirmed.
Benke, Acting P.J.; We Concur: O'Rourke, J., Aaron, J.
- D054734 In re Eva F., a Juvenile**
The judgment is affirmed. McIntyre, J.; We Concur: Haller, Acting P.J., Aaron, J.
- D054511 In re Alarcon on Habeas Corpus**
The request for publication of the opinion is denied.
- D053651 People v. Gomez**
The judgment is affirmed. Nares, J.; We Concur: Benke, Acting P.J., McIntyre, J.
- D055712 Mims v. The Superior Court of San Diego County/People**
The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
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- D054995 Tuszynska v. Hearn**
The appeal is dismissed. Costs on appeal are awarded to Danuta Tuszynska.
O'Rourke, J.; We Concur: Nares, Acting P.J., McDonald, J.
- D054670 In re Bernardo L., Juvenile**
The orders are affirmed.
Benke, Acting P.J.; I Concur: O'Rourke, J.; I Concur in the Result: Haller, J.
- D053194 Williamsburg National Insurance Company v. Progressive Casualty Insurance Company**
The judgment is affirmed.
O'Rourke, J.; We Concur: Nares, Acting P.J., McDonald, J.
- D053947 People v. Battle**
The respondent's motion to dismiss the appeal has been considered by Justices McIntyre, Aaron and Irion and is granted. An order denying a motion for the return of seized property is not appealable and must be challenged, if at all, by writ. (People v. Hopkins (2009) 171 Cal.App.4th 305, 308.)
- D053667 People v. Tran**
The appeal is dismissed. McDonald, J.; We Concur: McConnell, P.J., Irion, J.
- D055173 In re Johns on Habeas Corpus**
The petition is denied.
- D055364 In re Lauterbach on Habeas Corpus**
The petition is denied.
- D055487 Golden v. Lasher**
Because appellant did not timely pay the filing fee, the appeal is dismissed.
(Cal. Rules of Court, rule 8.100(c)(3).)
- D054253 In re Victor R., a Juvenile**
The order is affirmed. McIntyre, Acting P.J.; We Concur Aaron, J., Irion, J.
- D055490 Vandeveld v. Superior Court of San Diego County/City of San Diego et al.**
The petition is denied.
- D055459 Intergulf Development (Kettner) LLC v. Superior Court of San Diego County/Interstate Fire & Casualty Company**
The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
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August 21, 2009 (Continued)

D055560 In re Pierce on Habeas Corpus

The petition is denied.

D055486 In re Pierce on Habeas Corpus

The petition is denied.

D055393 In re Early on Habeas Corpus

The petition is denied.

D055170 In re Jenson on Habeas Corpus

The petition is denied.

D055410 In re Bryant on Habeas Corpus

The petition is denied.